

either (a) his automobile or principal means of land transportation; or (b) his personal abode or temporary or transient place of lodging; or (c) a migratory bird preservation facility; or (d) a post office; or (e) a common carrier facility.

[41 FR 31536, July 29, 1976]

**§ 20.26 Emergency closures.**

(a) The Director may close or temporarily suspend any season established under subpart K of this part:

(1) Upon a finding that a continuation of such a season would constitute an imminent threat to the safety of any endangered or threatened species or other migratory bird populations.

(2) Upon issuance of local public notice by such means as publication in local newspapers of general circulation, posting of the areas affected, notifying the State wildlife conservation agency, and announcement on local radio and television.

(b) Any such closure or temporary suspension shall be announced by publication of a notice to that effect in the FEDERAL REGISTER simultaneous with the local public notice referred to in paragraph (a)(2) of this section. However, in the event that it is impractical to publish a FEDERAL REGISTER notice simultaneously, due to the restriction in time available and the nature of the particular emergency situation, such notice shall follow the steps outlined in paragraph (a) of this section as soon as possible.

(c) Any closure or temporary suspension under this section shall be effective on the date of publication of the FEDERAL REGISTER notice; or if such notice is not published simultaneously, then on the date and at the time specified in the local notification to the public. Every notice of closure shall include the date and time of closing of the season and the area or areas affected. In the case of a temporary suspension, the date and time when the season may be resumed shall be provided by a subsequent local notification to the public, and by publication in the FEDERAL REGISTER.

[41 FR 31536, July 29, 1976]

**Subpart D—Possession**

**§ 20.31 Prohibited if taken in violation of subpart C.**

No person shall at any time, by any means, or in any manner, possess or have in custody any migratory game bird or part thereof, taken in violation of any provision of subpart C of this part.

**§ 20.32 During closed season.**

No person shall possess any freshly killed migratory game birds during the closed season.

**§ 20.33 Possession limit.**

No person shall possess more migratory game birds taken in the United States than the possession limit or the aggregate possession limit, whichever applies.

**§ 20.34 Opening day of a season.**

No person on the opening day of the season shall possess any freshly killed migratory game birds in excess of the daily bag limit, or aggregate daily bag limit, whichever applies.

**§ 20.35 Field possession limit.**

No person shall possess, have in custody, or transport more than the daily bag limit or aggregate daily bag limit, whichever applies, of migratory game birds, tagged or not tagged, at or between the place where taken and either (a) his automobile or principal means of land transportation; or (b) his personal abode or temporary or transient place of lodging; or (c) a migratory bird preservation facility; or (d) a post office; or (e) a common carrier facility.

[41 FR 31536, July 29, 1976]

**§ 20.36 Tagging requirement.**

No person shall put or leave any migratory game birds at any place (other than at his personal abode), or in the custody of another person for picking, cleaning, processing, shipping, transportation, or storage (including temporary storage), or for the purpose of having taxidermy services performed, unless such birds have a tag attached, signed by the hunter, stating his address, the total number and species of birds, and the date such birds were

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killed. Migratory game birds being transported in any vehicle as the personal baggage of the possessor shall not be considered as being in storage or temporary storage.

### **§ 20.37 Custody of birds of another.**

No person shall receive or have in custody any migratory game birds belonging to another person unless such birds are tagged as required by § 20.36.

### **§ 20.38 Possession of live birds.**

Every migratory game bird wounded by hunting and reduced to possession by the hunter shall be immediately killed and become a part of the daily bag limit. No person shall at any time, or by any means, possess or transport live migratory game birds taken under authority of this part.

### **§ 20.39 Termination of possession.**

Subject to all other requirements of this part, the possession of birds taken by any hunter shall be deemed to have ceased when such birds have been delivered by him to another person as a gift; or have been delivered by him to a post office, a common carrier, or a migratory bird preservation facility and consigned for transport by the Postal Service or a common carrier to some person other than the hunter.

[41 FR 31537, July 29, 1976]

### **§ 20.40 Gift of migratory game birds.**

No person may receive, possess, or give to another, any freshly killed migratory game birds as a gift, except at the personal abodes of the donor or donee, unless such birds have a tag attached, signed by the hunter who took the birds, stating such hunter's address, the total number and species of birds and the date such birds were taken.

[42 FR 39668, Aug. 5, 1977]

## **Subpart E—Transportation Within the United States**

### **§ 20.41 Prohibited if taken in violation of subpart C.**

No person shall at any time, by any means, or in any manner, transport any migratory game bird or part there-

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of, taken in violation of any provision of subpart C of this part.

### **§ 20.42 Transportation of birds of another.**

No person shall transport migratory game birds belonging to another person unless such birds are tagged as required by § 20.36.

### **§ 20.43 Species identification requirement.**

No person shall transport within the United States any migratory game birds, except doves and band-tailed pigeons (*Columba fasciata*), unless the head or one fully feathered wing remains attached to each such bird at all times while being transported from the place where taken until they have arrived at the personal abode of the possessor or a migratory bird preservation facility.

[41 FR 31537, July 19, 1976]

### **§ 20.44 Marking package or container.**

No person shall transport by the Postal Service or a common carrier migratory game birds unless the package or container in which such birds are transported has the name and address of the shipper and the consignee and an accurate statement of the numbers of each species of birds therein contained clearly and conspicuously marked on the outside thereof.

## **Subpart F—Exportation**

### **§ 20.51 Prohibited if taken in violation of subpart C.**

No person shall at any time, by any means, or in any manner, export or cause to be exported, any migratory game bird or part thereof, taken in violation of any provision of subpart C of this part.

### **§ 20.52 Species identification requirement.**

No person shall export migratory game birds unless one fully feathered wing remains attached to each such bird while being transported from the United States and/or any of its possessions to any foreign country.